IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Goddard et al. (as amended)
Appl. No.	:	10/036,063
Filed	:	December 26, 2001
For	:	ANTIBODIES TO POLYPEPTIDES THAT INDUCE CELL PROLIFERATION (as amended)
Examiner	:	Kolker, Daniel E.
Group Art Unit	:	1649

DECLARATION UNDER 37 CFR §1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We declare and state as follows:

1.   We are the inventors of the invention claimed in the above-captioned patent application.

2.   During the time period in which we participated in the events and activities described herein, we were employed by Genentech, Inc., the assignee of the above-captioned application.

3.   All of the events and activities described herein were performed by us personally, or by others at our direction as part of our duties as employees of Genentech, Inc.

4.   The claimed antibodies and the proteins to which the claimed antibodies bind were conceived and reduced to practice in the United States prior to November 10, 1999 as described below.

5.   Prior to November 10, 1999, we conceived of the invention claimed in the above-captioned patent application. This is demonstrated by the disclosure set forth in U.S. Provisional Patent Application No. 60/130,359, filed April 21, 1999, which describes the nucleic acid of SEQ ID NO: 56, the polypeptide of SEQ ID NO: 57, and the claimed antibodies to SEQ ID NO: 57. In addition, the attached sequence printout (Exhibit A), which was generated prior to November 10, 1999, shows the complete sequence of the nucleic acid having the sequence of SEQ ID NO: 56. The attached printout also shows the complete sequence of the polypeptide which has the sequence of SEQ ID NO: 57, to which the claimed antibodies bind. As evidenced by the provisional application and the sequence printout, we were in possession of the complete nucleic acid sequence, the complete amino acid sequences, and antibodies that bind to SEQ ID NO: 57 prior to April 21, 1999.